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By

Leonor S. Tuck
Leonor S. Tuck

Date: August 10, 2004

1634
Tucker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): **Zohar Yakhini, et al.,**

Group Art Unit: **1634**

Serial No.: **09/938,937**

Examiner: **Bradley R. Sisson**

Filed: **August 24, 2001**

Title: **"Use of Unstructured Nucleic Acids in Assaying Nucleic Acid Molecules"**

Atty Docket: **10003516-1**

Commissioner for Patents
P. O. 1450
Alexandria, VA 22313-1450

RESTRICTION

Sir:

This is in response to the Office Action dated July 20, 2004 subjecting Claims 1-16 to Restriction in the above-identified patent application.

Restriction is required under 35 U.S.C 121 between the following groups of claims:

- Group I: Claims 1-9, drawn to a system for assaying nucleic acids; and claims 15-16, drawn to a kit, classified in class 435, subclass 287.2.
- Group II: Claims 10-14, drawn to a method of assaying target nucleic acids, classified in class 436, subclass 94.

Applicants hereby elect to prosecute the Group II set of claims (10-14) without traverse.

Respectfully submitted,

ZOHAR YAKHINI, ET AL.,

By *Michael J. Beck*
Michael J. Beck
Reg. No. 40,907

IP Administration
Agilent Technologies, Inc.
Legal Department, DL-429
P.O. Box 7599
Loveland, CO 80537-0599

Date: **August 10, 2004**
Phone: **(650) 485-3864**